

In the  
Indiana Supreme Court



IN THE MATTER OF THE )

APPROVAL OF LOCAL RULES )

FOR PULASKI COUNTY )

Case No. 66S00-1107 -MS- 418

ORDER APPROVING AMENDED LOCAL RULE

The judges of the Pulaski Circuit and Superior Courts request the approval of an amended local rule for the appointment of special judges in accordance with Ind. Trial Rule 79. Attached to this Order is the proposed amended local rule.

Upon examination of the proposed rule amendment requested by the Pulaski Circuit and Superior Courts, this Court finds that the proposed rule amendments, LR66-TR79-01, complies with the requirements of Ind. Trial Rule 79, and accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that Pulaski County Local Rule, LR66-TR79-01, set forth as an attachment to this Order, is approved effective July 1, 2011, provided further that the rule shall be posted in the county clerk's office(s) and on the county clerk's website, if any, and on the Indiana Judicial Website.

The Clerk of this Court is directed to forward a copy of this Order to the Hon. Patrick B. Blankenship, Pulaski Superior Court, 110 East Meridian Street, #200, Winamac, IN 46996-1208; the Hon. Michael A. Shurn, Pulaski Circuit Court, 112 East Meridian Street, #310, Winamac, IN 46996-1208; to the Clerk of the Pulaski Circuit and Superior Courts; and to the Division of State Court Administration. The Clerk is also directed to post this Order on the Court's website.

The Clerk of the Pulaski Circuit and Superior Courts is directed to enter this Order and attachment in the Record of Judgments and Orders for the Courts, to post this Order and attachment for examination by the Bar and the general public, and if available, to publish this Order and attachment on the county clerk's website.

DONE at Indianapolis, Indiana, this 6<sup>th</sup> day of July, 2011.

RT Shepard  
Randall T. Shepard  
Chief Justice of Indiana

**APPOINTMENT OF A SPECIAL JUDGE IN CIVIL  
CASES PURSUANT TO TRIAL RULE 79(H)****(a) Cases involving disqualification or recusal**

In the event a judge disqualifies and recuses under Trial Rule 79(C), and a special judge is not selected under Trial Rule 79 (D) or (E), then the clerk of the court shall appoint as special judge the other Pulaski County Judge; and if that judge does not qualify as a special judge, or a party files an objection within seven (7) days of appointment under this section, the clerk of the court shall appoint on a rotating basis a special judge from the following list of judicial officers eligible under Trial Rule 79 (J):

- Starke Circuit Court Judge
- Starke Circuit Court Magistrate
- Jasper Circuit Court Judge
- Jasper Superior Court Judge
- White Circuit Court Judge
- White Superior Court Judge
- Fulton Circuit Court Judge
- Fulton Superior Court Judge

If the judge selected to serve is disqualified, ineligible, or is excused from service, then clerk of the court shall appoint the next judge on the list. If no judge on the list is eligible to serve as special judge or the particular circumstances in the case so warrant, the then presiding judge in the case shall certify the matter to the Indiana Supreme Court for the appointment of a special judge pursuant to TR79(H)(3).

**(b) Cases involving a change of judge**

In the event a special judge selected under Trial Rule 79, Sections (D) (E) or (F) does not accept the case, then the clerk of the court shall appoint on a rotating basis a special judge from the following list of judicial officers eligible under Trial Rule 79 (J):

- The other Pulaski Court Judge
- Starke Circuit Court Judge
- Starke Circuit Court Magistrate
- Jasper Circuit Court Judge
- Jasper Superior Court Judge
- White Circuit Court Judge
- White Superior Court Judge
- Fulton Circuit Court Judge
- Fulton Superior Court Judge

If the judge selected to serve is disqualified, ineligible, or is excused from service, then clerk of the court shall appoint the next judge on the list. If no judge on the list is eligible to serve as special judge or the particular circumstances in the case so warrant, the then presiding judge in the case shall certify the matter to the Indiana Supreme Court for the appointment of a special judge pursuant to TR79(H)(3).